

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF TENNESSEE**

RANDELL RIPPETOE and his wife,)	
LAURA RIPPETOE,)	
)	
Plaintiffs,)	
)	
vs.)	Docket No. 3-11 0124
)	Jury Demand
LOWE'S HOME IMPROVEMENT,)	Judge: Nixon
LLC and JOHN DOE,)	Magistrate Judge: Brown
)	
Defendants.)	

NOTICE AND ORDER OF COMPROMISE AND DISMISSAL

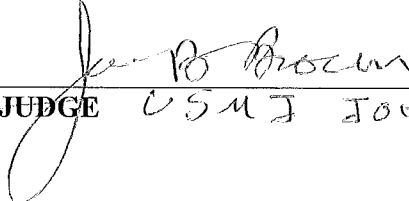
IT APPEARING TO THE COURT that all things and matters in controversy as it pertains or relates to the incident and / or to the claims in this suit have been compromised and settled, and that the compromise bars any further claims by or on behalf of the Plaintiffs as against the Defendants, and that as part of the settlement, the Plaintiffs are fully responsible for the satisfaction of any liens, subrogation claims or other similar claims pertaining to this suit and pertaining to the subject matter of this suit.

AND IT FURTHER APPEARING TO THE COURT that counsel for the Plaintiff has made a diligent effort to determine whether there are any lawful hospital, Medicare, Tenn-Care or other similar liens applicable to this matter, which there are not, but if any such liens are applicable or subsequently determined, that Plaintiff is fully liable and responsible for said liens, as well as for any and all other claims and liens or subrogation, and the Defendant has no responsibility for same. Further, in compliance with T.C.A. 71-5-117(g), Plaintiff's counsel has verified that there are no known

subrogation claims of the State of Tennessee or any entity acting pursuant to T.C.A. 71-5-117(f) that remain unaddressed in this action (TennCare Liens).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case is hereby dismissed with prejudice and upon the merits. Each party is responsible for their own discretionary costs. Court costs of this action are assessed against the Defendant, for which execution may issue if necessary.

ENTERED this the 13th day of March, 2012


JUDGE USMJ Joe B. Brown

APPROVED FOR ENTRY

/s/ Richard E. Spicer
Richard E. Spicer, Esq. BPR# 17572
Attorney for Defendant
Bank of America Tower
414 Union Street, Suite 1700
Nashville, Tennessee 37219
(615) 259-9080 Phone
(615) 259-1522 Facsimile

/s/Blair Durham w/ permission, Richard E. Spicer
Blair Durham , Esq. BPR# 21453
Benjamin Winters, Esq. BPR# 23970
1709 19th Ave. S.
Nashville, TN 37212
(615) 252-9937 Phone
(615) 277-2277 Facsimile